A.—Sri S. NIJALINGAPPA (Chief Minister).—

(*a*) Two.

(*b*) Yes.

(*c*) No.

(*d*) Does not arise in view of reply to Clause (*c*).

(*e*) Yes.

MYSORE LAND REFORMS (AMENDMENT) BILL, 1965.

(Consideration of Clauses continued.)

Mr. SPEAKER.—There are amendments. I suggest that all the amendments by Sri Patil may be moved together.

Sri V. S. PATIL (Belgaum I).—I beg to move :

1 "That in the proposed clause (31 A) between the words 'of the Union' and 'and includes' the words 'including seaman' shall be inserted.

2 In the proposed clause (31 A) for the words 'who has died while engaged in operation for the Defence of India,' the words 'who has died or disabled during service as a soldier' shall be substituted.

3 In the proposed clause (31A) the words 'father and mother' shall be inserted before the words 'the spouse'.

4 In the proposed Clause (31A) the words 'or disablement' shall be added at the end.

5 In the proviso to clause 31 A after the words 'has died' the words 'or disabled' shall be inserted.

6 In the proposed proviso for the words 'while engaged in operation for the Defence of India' the words 'while in Defence Services' shall be substituted."

Mr. SPEAKER.—Amendments moved :

1 "That in the proposed clause (31A) between the words 'of the Union' and 'and includes' the words 'including seaman' shall be inserted.

2 In the proposed Clause (31A) for the words 'who has died while engaged in operation for the Defence of India' the words 'who has died or disabled during service as a soldier' shall be substituted.

3 In the proposed clause (31A) the words 'father and mother' shall be inserted before the words 'the spouse'.

4 In the proposed clause (31A) the words 'or disablement' shall be added at the end.

5 In the proviso to clause (31A) after the words 'has died' the words 'or disabled' shall be inserted,

6 In the proposed proviso for the words ' while engaged in operation for the Defence of India ' the words ' while in Defence services ' shall be substituted."

†SRI V. S. PATIL.—So far as my amendments are concerned Sir, the new clause that is sought to be inserted, namely:—

"(31A) ' Soldier means a person in the service of the armed forces of the Union and includes in the case of a soldier who has died while engaged in operations for the defence of India, the spouse, the child and grand child who were dependent upon such soldier at the time of his death :

"Provided that if a question arises whether any person is a soldier or whether any soldier has died while engaged in operations for the defence of India, such question shall be decided by the State Government, and its decision shall be final."

This is a new clause that has been introduced here. In the old Act, the word ' Soldier ' has not been defined anywhere. This word 'soldier' has not been defined or given any specific meaning either in the Army Act or in the Indian Navy Act or in the Indian Air Force Act. In all these three Acts, the word 'Soldier' has not been defined'. They say only 'officers and other ranks'--these are the words used. So the new meaning that is tried to be given to this word is likely to come in the way of our idea that all persons who are engaged in the defence forces should be given this benefit, they are likely to be denied the benefit by reason of this definition of soldier. Sir, my submission is that soldier, the actual fighter with arms on the front, unless he is backed by half-a-dozen people behind him it is not possible for any soldier to take part in the actual firing or fighting. So the persons who are assisting at the back they are quite essential for him to enable him to fight and they are also essential persons and these persons must also get the benefit which is now proposed or was decided to be given by the old Act. In that Act the persons who were given this benefit were, the persons serving in the armed forces'. The wording used was 'armed forces'. That wording is now changed and a limited scope is to be given by this particular clause. And I feel Sir, that when China and Pakistan have taken up cudgels against India with no good intentions, it is rather difficult to accept this proposal that is made in this clause because it is likely to dampen the enthusiasm of persons who are serving in the armed forces.

Sir, the same opinion has to be expressed regarding the wording:

"...whether any soldier has died while engaged in operations for the defence of India."

What is the meaning that is to be given to this particular clause? Does it mean that the person must die actually in the war-front and not anywhere else? If that is the meaning given, then the very intention

(SRI V. S. PATIL)

with which the Central Government or the Planning Commission or this House which had decided to extend the benefit to the persons engaged or working in the armed forces of India will be taken away. If this limited interpretation and limited scope for giving benefits to persons serving in the armed forces is not changed, at least for the present when we are threatened on all sides by our enemies, it would be difficult. That is why I should like to suggest to the Hon'ble Minister and the House that the scope should not in any way be restricted only to the actual fighter taking part in the field, but should extend to all persons serving in the armed forces of the country.

Then Sir, if the soldier dies in India-not in the actual warfront, then also the Members of his family must get that benefit. If the person dies while under training, while in camps or other places in India, then the benefit to be given to children or his dependents will be deprived. That also will work as a damper on the enthusiasm of our people for getting themselves recruited in the armed forces of India.

Another amendment which I have suggested is, it is not only the spouse, child or grand-child who are dependent on the soldier, if he leaves behind him, his aged parents, then what should they do ? I feel the aged parents of such people much also be made some provision in order to encourage the Mothers and fathers to induce their children-younger generation, to be recruited in the armed forces. That is why I have suggested the change.

Then, there is another amendment to the same clause. The provision made here is that the benefit to be given to the children or his family is very much restricted that is only when he dies on the front or in the operation in the defence of India. But if he is disabled permanently by injury or by adverse climate, then what he has to do ? Sir, there is a standing example in my place-Belgaum, a soldier who was serving in the Medical Corps was in the NEFA. Due to frost bite, he has been disabled for life. One of his hands and legs has become useless and he is now begging in the streets of Belgaum, for want of food, clothing, etc., So, personally speaking, he was engaged in the defence service of India and he and his family members must get the benefit and not only if that person dies that the dependents upon him should get the benefit. If he is permanently disabled, then also the benefit must be given to the family or to members. That is why, I should like to suggest that in order to give real benefit to the persons who have recruited themselves in the defence services and their families.

All these suggestions which I have made must be accepted. Otherwise, it will amount merely lipsympathy and expose the hatred fostered by the Congress people regarding the armed forces, if this clause is passed as it is.

10-00 A.M.

Sri M. V. KRISHNAPPA.—Sir, I feel there is some truth in his amendment which refers to the father and mother of a soldier who was serving in the army and died while defending the cause of the country. I feel that such a mother and father who lose their son in such circumstances should have some privilege. I am prepared to accept that amendment.

Sri V. S. PATIL.—What about disablement? It is a standing example in my place.

Mr. SPEAKER.—It must be 'permanent disablement'.

Sri V. S. PATIL.—Sir, I amend my amendment accordingly.

Sri G. V. GOWDA.—There is already a provision for that.

Sri V. S. PATIL.—That disablement is a general one; that is about mental or physical disability.

Mr. SPEAKER.—What about the members other amendments to this clause?

Sri V. S. PATIL.—I beg leave of the House to withdraw them.

The other amendments, by leaveof the House, withdrawn.

Mr. SPEAKER.—The question is:

"That in the proposed clause (31A) the words 'father and mother' shall be inserted before the words 'the spouse'."

The amendment was adopted.

Mr. SPEAKER.—The question is:

"That clause 2, as amended, stand part of the Bill.

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Mr. SPEAKER.—The question is:

"That clauses 3 to 5, both inclusive, stand part of the Bill.

The motion was adopted.

Clauses 3 to 5 both inclusive were added to the Bill.

CLAUSE 6

Sri V. S. PATIL.—Sir, I beg to move:

"That in clause 6 item (2) shall be deleted."

Sri SIDDIAH KASIMATH (Shirahatti).—Sir, I beg to move:

"That in clause 6 item (2) shall be deleted."

Sri H. R. KESHAVA MURTHY (Gandasi).—Sir, I beg to move:

"That in clause 6 item (2) shall be deleted."

Mr. SPEAKER.—Amendment moved:

"That in clause 6, item (2) shall be deleted."

Sri V. S. PATIL.—Sir, here it appears that a woman if she is unmarried or a widow is to be treated as a disabled person or is to be treated as belonging to the category of disabled persons. After the passing of our Constitution, the whole aspect of treating individuals has been changed. Before the passing of the Hindu Inheritance Act, our idea was that a woman was not an able person to hold any property at all and that even if she held it she could not alienate it without the consent of the husband. The disability has been wiped out and females have been given full right along with men. When this change has taken place, what is the necessity of giving protection under the provisions of the Land Reforms Act to them, and where is the necessity to treat them on some inferior basis. It appears that the Hon'ble Minister who has proposed these changes is having superiority complex and that is not correct now. A widow is in no way inferior to any man. We have the experience of some of them in this very House itself. There are some widows who are more able than some of the male Members of this House and that is a standing example which proves that widows are not disabled persons at all. The same is true of unmarried women also. Under the existing law, nobody can marry before the age of 15 and now practically every girl is educated and they won't accept the proposals of their parents for marriage. This independence has come in our country and it is absurd to treat them as inferior or incapable beings to manage their own affairs. This suppriority complex that was there in the minds of the Hindu males should no longer be there. These two words have been fully debated for days together in the Joint Select Committee and we have agreed to delete them. To say that if only a woman has got her husband she will be able to manage her affairs is not correct. That is why independence and equality has been given to females under the Constitution and under the amended Hindu Law and therefore no distinction of this sort should be made.

Sri SIDDIAH KASIMATH.—I endorse the views expressed by the Hon'ble Member Sri V. S. Patil.

† ಶ್ರೀ ಎಚ್. ಆರ್. ಕೇಶವ ಮೂರ್ತಿ.—ಆರನೇ ವಿಭಾಗದಲ್ಲಿ 'unmarried women' ಎಂದು ಹಾಕಿದ್ದಾರೆ. ಕೆಲವು ನಂದರ್ಭಗಳಲ್ಲಿ ಗಂಡ ಓಡಿ ಹೋಗಿರುತ್ತಾನೆ. ಹೆಂಡತಿ ಮಾತ್ರ ಇರುತ್ತಾಳೆ. ಎಷ್ಟೋ ವರ್ಷ ಗಂಡನಾದವನು ಬಾರದೆ ಹೋದರೆ ಅವರಿಗೆ ಗಂಡ ಇದ್ದ ಹಾಗೆಯೋ ಅಥವಾ ಇಲ್ಲದ ಹಾಗೆಯೋ? ಜಮೀನನ್ನು ಇಟ್ಟುಕೊಳ್ಳಬೇಕೋ ಹೇಗೆ ಎಂದು ಯೋಚನೆ ಮಾಡಬೇಕು.

ಅದೇ ರೀತಿ ಕೆಲವು ದೀರ್ಘ ಕಾಯಿಲೆಗಳಿಗೆ ಸಿಕ್ಕಿರುವ ಗಂಡನರು ಇರುತ್ತಾರೆ. ಅವರಿಂದ ಜಮೀನು ವ್ಯವಸಾಯ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಅವರ ಹೆಂಡತಿಯರಿಗೆ ಗಂಡ ಇದ್ದರೂ ಇಲ್ಲದ ಹಾಗೆ ಆಗಿರುತ್ತದೆ ಅದೇ ರೀತಿ ಮದುವೆಯಾಗದ ಹೆಣ್ಣು ಮಕ್ಕಳು ಮದುವೆಯಾದ ಕೂಡಲೇ ಅವರ ಹಕ್ಕನ್ನು ಕಳೆದುಕೊಳ್ಳುತ್ತಾರೆ. ಮದುವೆ ಆಗದ ತಾಯಂದಿರುತ್ತಾರೆ. ಅವರಿಗೆ ಮಕ್ಕಳು ಇದ್ದರೆ ಅವರು ಮದುವೆ ಆಗುವುದು ಸಾಧ್ಯವೆ ಎಂದು ಯೋಚನೆ ಮಾಡಬೇಕು. ಇದು ಕಾಂಪ್ಲಿಕೇಟೆಡ್ ಕ್ಲಾಜ್ ಆಗುತ್ತದೆ. ದಯವಿಟ್ಟು ಇದನ್ನು ದೀರ್ಘವಾಗಿ ಆಲೋಚನೆ ಮಾಡಬೇಕು.

[MR. DEPUTY SPEAKER in the Chair]

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಮಾನ್ಯ ಸದಸ್ಯರು ತಂದಿರುವ ತಿದ್ದುಪಡಿಯನ್ನು ನಾನು ಒಪ್ಪಿ ಕೊಳ್ಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಕೇಶವಮೂರ್ತಿ ಅವರು ಹೇಳಿದ ಹಾಗೆ ಹೆಂಡತಿ

ಯನ್ನು ಬಿಟ್ಟು ಗಂಡ ಓಡಿ ಹೋಗಬೇಕಾದರೆ ಆಕೆ ಎಷ್ಟು ಶಕ್ತವಂತಳಿರಬೇಕು, ಆಕೆಗೆ ರಕ್ಷಣೆ ಬೇಕಾಗಿಲ್ಲ ಎಂದು ಅರ್ಥವಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಅಂಥವರಿಗೆ ಯಾವ ವಿಧವಾದ ರಕ್ಷಣೆಯೂ ಬೇಕಾಗಿಲ್ಲ. ಮಧುವೆ ಆಗದ ತಾಯಂದಿರ ವಿಚಾರವನ್ನು ಹೇಳಿದರು. ಅವರಿಗೆ ಮಕ್ಕಳು ಇರುತ್ತಾರೆ. ಅವರ ಮಕ್ಕಳು ಜಮೀನು ನೋಡಿಕೊಳ್ಳುತ್ತಾರೆ. ಅದ್ದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ನಾನು ಒಪ್ಪಿಕೊಳ್ಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ.

Mr. DEPUTY SPEAKER.—The question is :

"That in clause 6, item (2) shall be deleted."

The amendment was negatived.

Mr. DEPUTY SPEAKER.—The question is :

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

CLAUSE 7

Sri V. S. PATIL.—I beg to move :

' That in clause 7 in the proposed sub-section (1) (*b*) (ii) on page 5 between the words "in the case of" and "a spouse" the words "father or mother or" shall be inserted".'

Mr. DEPUTY SPEAKER.—Amendment moved :

' That in clause 7 in the proposed sub-section (1) (*b*) (ii) on page 5 between the words "in the case of" and "a spouse" the words "father or mother or" shall be inserted".'

Sri V. S. PATIL.—In view of the acceptance of my amendment No. 3 to clause 2, I expect the Hon'ble Minister to accept this amendment because this is merely a consequence of what is stated in clause 2. If this is not accepted then the acceptance of my previous amendment will be of no use at all. That is why I should like to request the Hon'ble Minister to accept this amendment also.

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಮಾನ್ಯ ಸದಸ್ಯರು ಎರಡನೆಯ ಕ್ಲಾಜಿಗೆ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದು ಅದರಲ್ಲಿ ತಂದೆ ಮತ್ತು ತಾಯಿ ಇವರನ್ನು ಸೇರಿಸಬೇಕು ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಅದನ್ನು ಒಪ್ಪಿಕೊಂಡಿರುವುದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನೂ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ.

Mr. DEPUTY SPEAKER.—The question is :

' That in clause 7 in the proposed sub-section (1) (*b*) (ii) on page 5, between the words "in the case of" and "a spouse" the words "father or mother or" shall be inserted".'

The amendment was adopted.

Mr. DEPUTY SPEAKER.—The question is :

"That clause 7, as amended, stand part of the Bill."

The motion was adopted.

Clause 7, as amended, was added to the Bill.

CLAUSE 8

Sri M. V. KRISHNAPPA.—I beg to move:

'That in clause 8 in the new clause 10A, after the words "transferred any land" the words "otherwise than by partition" shall be inserted.'

Mr. DEPUTY SPEAKER.—Motion moved:

'That in clause 8, in the new clause 10A, after the words transferred any land" the words "otherwise than by partition" shall be inserted.'

Sri H. D. DEVE GOWDA (Holenarasipur).—I beg to move:

"That in clause 8, the proposed clause 10A shall be deleted."

Mr. DEPUTY SPEAKER.—Amendment moved:

"That in clause 8, the proposed clause 10A, shall be deleted."

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ ಕ್ಲಾಜ್ 11 (ಎ)ನಲ್ಲಿ 18-11-1961ರಿಂದೀಚೆಗೆ ಏನಾದರೂ ಜಮೀನು ವರ್ಗಾವಣೆ ಆಗಿದ್ದರೆ ಅದನ್ನು ಗೌರವಿಸಕೂಡದು ಎಂದು ಹೇಳಿದೆ. ಈಗೆ ಹೇಳುವಾಗ ಹಿಂದೂ ಪಾರ್ಟಿಷನ್ ಪ್ರಕಾರ ಆಗಿದ್ದರೆ ಅದನ್ನು ಗೌರವಿಸಬೇಕು ಎಂದು ಈ ತಿದ್ದುಪಡಿಯಲ್ಲಿ ಹಾಕಿದೆ. ಇದನ್ನು ಮಾನ್ಯ ಸಭೆ ಒಪ್ಪಿಕೊಳ್ಳಬೇಕು.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಕ್ಲಾಜ್ 10 (ಎ)ನಲ್ಲಿ 18-11-1961ರಿಂದ ಈಚೆಗೆ ಏನು ವ್ಯವಹಾರಗಳು ನಡೆದಿರುತ್ತವೆಯೋ ಅವಕ್ಕೆ ಮನ್ನಣೆ ಕೊಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ ಎನ್ನುವ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿದ್ದಾರೆ. ನಾನ್ ರೆಸ್ಯೂಮಬಲ್ ಲ್ಯಾಂಡ್ ಏನಿದೆ, ಅದನ್ನು ಮಾಲೀಕನಾದವನು ಗೇಣಿದಾರನಿಗೆ ಕೊಟ್ಟು ಸಾಗುವಳಿ ಮಾಡಿಸುತ್ತಿದ್ದು ಆ ಜಮೀನನ್ನು ಗೇಣಿದಾರನಿಗೇ ಕ್ರಯಕ್ಕೆ ಕೊಟ್ಟರುತ್ತಾನೆ. ಅಂಥದ್ದನ್ನು ಸರ್ಕಾರ ಮನ್ನಣೆಗೆ ತೆಗೆದುಕೊಳ್ಳಬೇಕು. ಇದು ಸರ್ವ ಸಮ್ಮತವಾದದ್ದು. ನ್ಯಾಯವಾದ ಒಂದು ವ್ಯವಹಾರಕ್ಕೆ ಮನ್ನಣೆ ಕೊಡದೆ ಹೋದರೆ ಬಹಳ ಅನ್ಯಾಯವಾಗುತ್ತದೆ. ಒಂದು ವೇಳೆ ಎಲ್ಲ ವ್ಯವಹಾರಗಳಿಗೂ ಮನ್ನಣೆ ಕೊಡುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲದೆ ಇದ್ದರೂ ಭೂ ಮಾಲೀಕ ಗೇಣಿದಾರನಿಗೆ ಕೊಟ್ಟಿರತಕ್ಕ ಜಮೀನು ಪೆಷಯದಲ್ಲಿ ಮನ್ನಣೆ ಕೊಡಬೇಕು. ಇದರ ಬಗ್ಗೆ ಸರ್ಕಾರ ಯೋಜನೆ ಮಾಡುವುದು ಸೂಕ್ತ. ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ತಮ್ಮ ಅಭಿಪ್ರಾಯವನ್ನು ಉತ್ತರ ಕೊಡುವಾಗ ತಿಳಿಸಬೇಕು.

ಚೆನೆಂಟ್ಸ್‌ಗಾದರೂ ಕೊಟ್ಟಿರತಕ್ಕ ಜಮೀನುಗಳನ್ನು ಗಣನೆಗೆ ತೆಗೆದುಕೊಳ್ಳದೇ ಹೋದರೆ ಬಹಳ ಕಷ್ಟ. ಅದರ ಬಗ್ಗೆ ಸೂಕ್ತ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುತ್ತೇನೆ.

ಶ್ರೀ ಸಿದ್ದಯ್ಯ ಕಾಶೀಮಠ್.—ಸರ್ಕಾರದವರು ನನ್ನ ತಿದ್ದುಪಡಿ ಮೇರೆ ಮತ್ತೊಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದದ್ದರಿಂದ, ಪಾರ್ಟಿಷನ್ ತರುವ ಬಗ್ಗೆ ಮನ್ನಣೆ ಕೊಡುತ್ತೇವೆಂದು ಮಂತ್ರಿಗಳು ಹೇಳಿದ್ದರಿಂದ ನಾನು ನನ್ನ ತಿದ್ದುಪಡಿಯನ್ನು ವಾಪಸ್ಸು ತೆಗೆದುಕೊಳ್ಳುತ್ತೇನೆ.

ಶ್ರೀ ಎಚ್. ಆರ್. ಕೇಶವಮೂರ್ತಿ.—ಶ್ರೀಮಾನ್ ದೇವೇಗೌಡರು ತಂದಿರುವ ತಿದ್ದುಪಡಿ ಬಹಳ ಸಾಧುವಾದುದು. ಬೊಂದಾಯನಲ್ಲಿ ಮದ್ರಾಸಿನವಲ್ಲಿ ರಿಯಾಯಿತಿ ಕೊಟ್ಟಿದ್ದಾರೆ. ನಮ್ಮ ದೇಶದಲ್ಲಿ ಹಳೆಯ ಮೈಸೂರಿನವರು ಅದಕ್ಕೊಪ್ಪಿಸ್ಕರ ನ್ಯಾಯ ಮಾಡುವುದು ಒಳ್ಳೆಯದು. ಅದು 61ರವರೆಗೆ ಆಗುದು. ಮುಂದಕ್ಕಾದರೂ ಅದನ್ನು ಸರಿಮಾಡಿಕೊಳ್ಳಲಿ ಎಂದು ಹೇಳುತ್ತೇನೆ. ಆದ್ದರಿಂದ ಆ ತಿದ್ದುಪಡಿಯನ್ನು ಎಲಿಮಿನೇಟ್ ಮಾಡಬೇಕೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ.

Sri V. S. PATIL.—Sir, I rise to support the main amendment in the Bill. It appears that the Hon'ble Minister in charge has been prevailed upon to insert these words "transfers otherwise than by

partition." It appears that the Hon'ble Minister is ignorant of the fact that since the proposal to introduce tenancy laws in the country there is not even a single land owners family which has remained joint. Not only that, but the properties have been divided in the names of husband and wife and children and even grand children in order to evade the provision regarding ceiling of holding. These things have taken place in every village on our side. The husband and wife, even if they are living together, have partitioned their properties in order to reduce the holdings in the names of each of them. So, I should like to request the Hon'ble Minister to add the word '*bonafide*' before the word 'partition.' If it is *bonafide* partition then it is all right. But there are 95 per cent partitions which are *malafide* which have been effected simply to see that the provisions regarding celling and resumption do not come in their way. As a lawyer, I have tried several such cases and at least in a few cases I have succeeded in getting a declaration that the partition was not *bona fide*.

If these words are there, the hands of the court will be tied down and some courts may take a contrary view. A partition which is effected only with a view to evade the provisions of this law should not be protected. So, I once again suggest that the word '*bona fide*' should be added before the word 'partition'.

Sri M. R. PATIL (Hubli).—Sir, partition as proposed by the Hon'ble Minister necessarily means *bonafide*. A bogus partition or a partition intended to defraud would not be a partition. Mr. V. S. Patil would agree with me that transfer does not include partition. In order to make the meaning clear, the word 'partition' is being inserted.

Sri M. V. KRISHNAPPA.—Sir, Sri M. R. Patil has said what I wanted to say.

Sri H. D. DEVE GOWDA.—Sir, In view of the assurance given by the Hon'ble Minister, I withdraw my amendment.

Amendment was, by leave, of the House *withdrawn*.

Mr. DEPUTY SPEAKER.—The question is :

'That in the new clause (10A), after the words "transferred any land" the words "otherwise than by partition" shall be inserted'

The amendment was adopted.

Sri M. V. KRISHNAPPA.—Sir, I beg to move :

'That for the new clauses (10B) and (10C), the following new clauses shall be substituted, namely :—

"(10B) Notwithstanding anything contained in clauses (1) to (10) (both inclusive) or section 142, the extent of land, if any, resumable, by any landlord in the Bombay Area, shall be subject to the restrictions and conditions specified in the Bombay Tenancy and Agricultural Lands Act, 1948, as in force in the Bombay Area on the 1st November 1956.

(SRI M. V. KRISHNAPPA)

(10C) Notwithstanding anything contained in classes (1) to (10) (both inclusive) or section 142, the extent of land, if any, resumable by any landlord in the Hyderabad Area, shall be subject to the restrictions and conditions specified in the Hyderabad Tenancy and Agricultural Lands Act, 1950, as in force in the Hyderabad Area on the 1st November 1956."

Mr. DEPUTY SPEAKER.—Amendment moved:

"That for the new clauses (10B) and (10C), the following new clauses shall be substituted, namely:—

"(10B) Notwithstanding any thing contained in clauses (1) to (10), (both inclusive) or section 142, the extent of land, if any, resumable, by any landlord in the Bombay Area, shall be subject to the restrictions and conditions specified in the Bombay Tenancy and Agricultural Lands Act, 1948, as in force in the Bombay Area on the 1st November 1956.

(10C) Notwithstanding anything contained in clauses (1) to (10) (both inclusive) or section 142, the extent of land, if any, resumable, by any landlord in the Hyderabad Area, shall be subject to the restrictions and conditions specified in the Hyderbad Tenancy and Agricultural Lands Act, 1950, as in force in the Hyderabad Area on the 1st November 1956."

10-30 A.M.

† ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಹರಿಜನರ್ ಆಕ್ಟ್ ಪ್ರಕಾರ ಬೊಂಬಾಯಿ ಕರ್ನಾಟಕ ಮತ್ತು ಹೈದರಾಬಾದ್ ಕರ್ನಾಟಕದಲ್ಲಿರತಕ್ಕ ಎಲ್ಲಾ ಲ್ಯಾಂಡ್ ಲಾರ್ಡ್‌ಗಳೂ ಕೂಡ ಭೂಮಿಯನ್ನು ರೆನ್ಯೂಮ್ ಮಾಡಿಕೊಳ್ಳುವ ವಿಷಯಕ್ಕೆ ಒಂದು ಕ್ಲಾಜ್ ಇದೆ. ಅದರಲ್ಲಿ ಹಿಂದೆ ಬೊಂಬಾಯಿ ಕರ್ನಾಟಕದಲ್ಲಿ 1956 ನೇ ಇಸವಿ ನವಂಬರ್ ಒಂದನೆಯ ತಾರೀಖಿನಿಂದ ಜಾರಿಯಲ್ಲಿರುವ ಬಾಂಬೆ ಟೆನೆನ್ಸಿ ಅಂಡ್ ಅಗ್ರಿಕಲ್‌ಚರಲ್ ಲಾಂಡ್ಸ್ ಆಕ್ಟ್ 1948 ಇದರ ಪ್ರಕಾರ ಬೊಂಬಾಯಿ ಕರ್ನಾಟಕದಲ್ಲಿ ಲ್ಯಾಂಡ್ ಲಾರ್ಡ್ ಆದವರು ತಮ್ಮ ಸ್ವಂತ ಸಾಗುವಳಿಗೋಸ್ಕರವಾಗಿ ಇಷ್ಟು ಭೂಮಿ ಬೇಕು ಎಂದು ಟೆನೆಂಟ್‌ಗಳಿಗೆ ನೋಟೀಸ್ ಕೊಟ್ಟು ಅದನ್ನು ಸರ್ಕಾರದ ಮುಖಾಂತರ ವಶಪಡಿಸಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅಧಿಕಾರವಿತ್ತು. ಆದ್ದರಿಂದ ಅದೇ ರೀತಿ ಬೊಂಬಾಯಿ ಕರ್ನಾಟಕದಲ್ಲಿ ಟೆನೆಂಟುಗಳಿಗೆ ನೋಟೀಸನ್ನು ಕೊಡುವ ಪದ್ಧತಿ ಜಾರಿಯಲ್ಲಿ ಇತ್ತು. ಅನಂತರ ಕರ್ನಾಟಕ ಆದಮೇಲೆ ಮೈನೂರು ಸರ್ಕಾರದವರು ಆ ರೀತಿ ಹಿಂದೆ ನೋಟೀಸು ಕೊಟ್ಟಿದ್ದು ಪ್ರಯೋಜನ ಇಲ್ಲ; ಮುಂದೆ ನಾವು ಅದನ್ನು ಅಕ್ಸೆಪ್ಟ್ ಮಾಡಿಕೊಳ್ಳುವುದಿಲ್ಲ ಎಂದು ಹೇಳಿ ಹಿಂದೆ ಕೊಟ್ಟಿದ್ದಂತಹ ಕೆಲವು ಕೇಸುಗಳನ್ನು ವಾಪಸ್ಸು ಕೊಡಿಸಿದರು. ಬೊಂಬಾಯಿ ಟೆನೆನ್ಸಿ ಆಕ್ಟ್ ಪ್ರಕಾರ ಬೊಂಬಾಯಿ ಕರ್ನಾಟಕದಲ್ಲಿರತಕ್ಕ ಲ್ಯಾಂಡ್ ಲಾರ್ಡ್‌ಗಳಿಗೆ ಅಲ್ಲಿ ಗೊತ್ತು ಮಾಡಿದ್ದ ಸೀಲಿಂಗ್ ಪ್ರಕಾರ ಅವರು ಭೂಮಿಯನ್ನು ರೆನ್ಯೂಮ್ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅಧಿಕಾರ ಇತ್ತು. ಆದರೆ ಅವರು ಅದನ್ನು ರೆನ್ಯೂಮ್ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಆಗಿಲ್ಲ. ಅವರಿಗೆ ಅದನ್ನು ರೆಜ್ಯೂಮ್ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಮಾಡಿಕೊಡಬೇಕಾದ್ದು ನಮ್ಮ ಧರ್ಮ. ಆದ್ದರಿಂದ ಬೊಂಬಾಯಿ ಟೆನೆನ್ಸಿ ಆಕ್ಟ್‌ನಲ್ಲಿ ಏನು ಕಂಡೀಷನ್ ಇದೆಯೋ ಅದರ ಪ್ರಕಾರ ಟೆನೆಂಟ್‌ಗಳಿಗೆ ನೋಟೀಸು ಕೊಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಮಾಡಿಕೊಡಬೇಕು. ಅದೇ ರೀತಿ ಹೈದರಾಬಾದ್ ಕರ್ನಾಟಕದಲ್ಲಿ 1956 ನೇ ಇಸವಿ ನವೆಂಬರ್ ಒಂದನೆಯ ತಾರೀಖಿನಿಂದ ಜಾರಿಯಲ್ಲಿರುವ ಹೈದರಾಬಾದ್ ಟೆನೆನ್ಸಿ ಅಂಡ್ ಅಗ್ರಿಕಲ್‌ಚರಲ್ ಲಾಂಡ್ಸ್ ಆಕ್ಟ್ 1950 ಇದರ ಪ್ರಕಾರ ಹೈದರಾಬಾದ್ ಕರ್ನಾಟಕದಲ್ಲಿ ಲ್ಯಾಂಡ್ ಲಾರ್ಡ್‌ಗಳು ತಮ್ಮ ಸ್ವಂತ

ಸಾಗುವಳಿಗೋಸ್ಕರವಾಗಿ ಇಷ್ಟು ಭೂಮಿ ಬೇಕು ಎಂದು ಚೆನೆಂಟುಗಳಿಗೆ ನೋಟೀಸು ಕೊಟ್ಟು ಅದನ್ನು ಸರ್ಕಾರದ ಮುಖಾಂತರ ವಶಪಡಿಸಿಕೊಳ್ಳಬಹುದೆಂದು ಆ ಆಕ್ಟ್‌ನಲ್ಲಿ ನಮೂದಾಗಿತ್ತು. ಅದರೆ ಅದನ್ನು ಜಾರಿಗೆ ತರಲಿಲ್ಲ. ಅದು ಹಾಗೆಯೇ ನಿಂತು ಹೋಗಿತ್ತು. ಅದಕ್ಕೋಸ್ಕರ ಬೊಂಬಾಯಿ ಮತ್ತು ಹೈದರಾಬಾದ್ ಚೆನೆನ್ಸಿ ಆಕ್ಟ್ ಪ್ರಕಾರ ಅಲ್ಲಿರತಕ್ಕ ಲ್ಯಾಂಡ್ ಲಾರ್ಡ್‌ಗಳಿಗೆ ದೊರೆಯಬೇಕಾದಂತಹ ಅನುಕೂಲವನ್ನು ದೊರಕಿಸಿ ಕೊಟ್ಟು ಅವರು ಅದನ್ನು ಉಪಯೋಗ ಮಾಡಿಕೊಳ್ಳಲಿ ಎನ್ನುವ ದೃಷ್ಟಿಯಿಂದ ಈ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ಈಗ ಇಲ್ಲಿ ತಂದಿದ್ದೇವೆ.

†Sri V. S. PATIL. —I am still in doubt whether to support or oppose. The original clause that had been incorporated in this Bill appears to be reasonable. But, the difficulty was about the record of notices. That is why, it appears, Government have come forward with the present amendment. These amendments are good, no doubt. But the wording shall be, 'subject to the restrictions and conditions specified in that particular Act as it was in force on 1st November 1956. On that day *i.e.* 1st November 1956, the Act that was in force in Bombay area was that from 1st April 1957 the tenant shall be deemed to have purchased the land, and so the right of the land-lord so far as those lands in possession of the tenants were concerned, had practically been extinguished by the provision. I do not know whether this aspect has been considered by the Government by introducing these amendments. Otherwise, some difficulties will arise when we try to actually work out the provisions of the present Act. That is why I should like to request the Hon'ble Minister to enlighten us as to what will be the effect of that provision which confers the title on the tenant on 1st April 1957. We are still in darkness whether that will remain in force or whether that has affected about the rights of the tenants so far as his ownership or transfer is concerned.

There is another aspect that the recommendation of the Planning Commission of the Central Government appears to be that the rights already created both under the Bombay Tenancy Act as well as the Hyderabad Tenancy Act should be kept in tact. That appears to be the intention of the Central Government or the Planning Commission, and those rights which have been given to the tenants in these two areas, *viz.*, Bombay and Hyderabad, should not be taken away by the Land Reforms Act of Mysore. That must be the intention of the Planning Commission. So, I presume, if that intention is to be carried out and for that purpose these amendments have been brought before the House, what about the confirmation of ownership on the tenants by these two Acts ; whether they remain in tact or whether they or to be changed ?

[MR. SPEAKER in the Chair]

Sri M. R. PATIL.—I do not know whether Mr. V. S. Patil remembers that the Mysore Legislature passed an Act No. 13 of 1957, whereby the sections of the Bombay and Hyderabad Acts conferring ownership on certain dates are suspended. Those Acts have not been repealed by the Mysore Land Reforms Act. So, it is under this Act that those tenants will become owners in accordance with the provisions of this Act.

(SRI M. R. PATIL)

But why the Hon'ble Minister has brought the amendments to the amending Act in respect of 10 (*b*) and (*c*) is, perhaps the Government it self was not aware, at the time of original amendments, that by that Act No. 13 of 1957 it was provided that the notices given by the land-lords should be deemed to be withdrawn and that the applications made by the land-lords for resumption shall be deemed to be resumptions. In view of this, it was necessary to rectify the mistake that was committed originally and the present amendments are quite in order, whereby the land-lords will be given another opportunity for the resumption of lands, but it restricts the extent of resumption to which they would have been entitled.

Mr. SPEAKER.—Automatically under the provisions of that Act, on 1st April 1957 the rights vest in the tenant and perhaps it will be only a question of paying compensation and only claim will spring in the case of superseding the right of the property.

Sri M. R. PATIL.—The operation of those sections of the Bombay Act which provide that on a particular date the tenant would become the owner, was suspended.

Mr. SPEAKER.—Now, if you embody this, what happens?

Sri V. S. PATIL.—The point is, that the wording of the Bombay Act as in force in the Bombay area on the first of November 1956 is that on the particular date the full provision was in force.

Mr. SPEAKER.—As on 1st November 1956, which means that the argument the member has advanced that the operation of the later Act by the Mysore Legislature now having been taken away, and after that we are putting this into operation, what will be the combined effect? What happens to the automatic fixing that is taking place?

Sri M. R. PATIL.—Sir, it did not vest. Before the date, that Act is repealed.

Mr. SPEAKER.—Is it only with regard to the extent that is restored and not with regard to anything else?

Sri M. R. PATIL.—The present amendment relates only with regard to extent.

Mr. SPEAKER.—The question is:

'That in the new Clause (10 A), after the words "transferred any land" the words "otherwise than by partition" shall be inserted.'

'That for the new clauses (10 B) and (10 C), the following new clauses shall be substituted, namely:—

"(10 B) Notwithstanding anything contained in clauses (1) to (10) (both inclusive) or Section 142 the extent of land, if any, resumable, by any landlord in the Bombay Area, shall be subject to the restrictions and conditions specified in the Bombay Tenancy and Agricultural Lands Act, 1948, as in force in the Bombay Area on the 1st November 1956.

(10 C) Notwithstanding anything contained in clauses (1) to (10), (both inclusive) or Section 142, the extent of land, if any, resumable, by any landlord in the Hyderabad Area, shall be subject to the restrictions and conditions specified in the Hyderabad Tenancy and Agricultural lands Act, 1950, as in force in the Hyderabad Area on the 1st November 1956."

The amendment was adopted.

Mr. SPEAKER.—The question is:

"That clause 8, as amended, stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

CLAUSES 9 AND 10

Mr. SPEAKER.—The question is:

"That clauses 9 and 10 stand part of the Bill."

The motion was adopted.

Clauses 9 and 10 were added to the Bill.

CLAUSE 11.

Sri SIDDIAH KASHIMATH.—I beg to move:

'That in sub-section (1) of Section 25 last line, for the word "Tribunal" the word "Thasildar" shall be substituted.'

Mr. SPEAKER.—Amendment moved:

'That in sub-Section (1) of section 25 last line, for the word "Tribunal" the word "Tahsildar" shall be substituted'.

Sri SIDDIAH KASHIMATH.—"No tenant shall surrender any land held by him as such, and no landlord shall enter upon the land surrendered by the tenant, without the previous permission in writting of the Tribunal" ಎಂದು ಇದೆ. ಟ್ರಿಬ್ಯುನಲ್ ಅಂತ ಇರುವುದರಿಂದ ಮುದಿಸೀಫರ ಬೇಕಾದರೂ ಇರಬಹುದು. ಕಾನ್ಸ್ಟಿಟ್ಯೂಶನ್ ಪ್ರಕಾರ ಅವರು ಇರಬಹುದು. ಅವರು ಇದ್ದರೆ ಸರಿ ಹೋಗುವುದಿಲ್ಲ. ಅವರು ಇದ್ದರೆ ರೈತನಿಗೆ ಕೊಂದರೆಯಾಗುತ್ತದೆ. ತಹಸೀಲ್‌ದಾರರಿಗೆ ಎಲ್ಲಾ ಪವರನ್ನೂ ತೆಗೆದಿದ್ದಾರೆ, ಅವರಿಗೆ ಅಪ್ಪು ಕೆಲಸವಿಲ್ಲ. ತಹಸೀಲ್‌ದಾರರಿಗೆ ಈ ಪವರ್ ಕೊಡಬಹುದು. ಅವರಿಗೆ ಸರೆಂಡರ್ ಆಫ್ ಲ್ಯಾಂಡ್ ವಿಷಯದಲ್ಲಿ ಪವರ್ ಒದಗಿಸಿಕೊಡದಿದ್ದರೆ, ರೈತನಿಗೆ ಅನಾನು ಕೂಲವಾಗುತ್ತದೆ. ತಹಸೀಲ್‌ದಾರರಿಗೆ ಕೊಟ್ಟರೆ ಅವರ ಹಳ್ಳಿಗೆ ಹೋಗಿ ನಿಕಾಲ್ ಕೊಡುವುದಕ್ಕೆ ಮಾರ್ಗವಿರುತ್ತದೆ. ಈ ಪರ್ಮಿಷ್ ಕೊಡುವ ಅಧಿಕಾರ ತಹಸೀಲ್‌ದಾರನಿಗೇ ಇರಬೇಕು.

Sri M. R. PATIL.—A Special Civil Judge will be appointed as a Tribunal. He will be as good or even better than a Tahsildar, who is an executive Officer. In the circumstances, I hope Sri Siddiah Kasimath will withdraw the amendment.

Mr. SPEAKER.—The question is :

'That in sub-section (1) of Section 25 last line, for the word "Tribunal" the word " Tahsildar " shall be substituted.'

The amendment was negatived.

Mr. SPEAKER.— The question is :

" That clause 11 stand part of the Bill."

The motion was adopted.

Clause 11 was added to the Bill.

CLAUSE 12 TO 19

Mr. SPEAKER.—The question is :

"That clauses 12 to 19, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 12 to 19 were added to the Bill.

CLAUSE 20.

Sri H. R. KESHAVA MURTHY.—I beg to move,

" That sub-clauses (2) and (3) shall be deleted".

Mr. SPEAKER.—Amendment moved.

"That sub-clauses (2) and (3) shall be deleted".

ಶ್ರೀ ಎಚ್. ಆರ್. ಕೇಶವಮೂರ್ತಿ.—ಒರಿಜಿನರ್ ಆಕ್ಟಿನಲ್ಲಿ 10 ಸಾವಿರ ರೂಪಾಯಿ ಕೊಡಬೇಕೆಂದಿದೆ. ಅದಕ್ಕೆ ಹೆಚ್ಚಾದ್ದನ್ನು ಬಾಂನಲ್ಲಿ ಕೊಡಬೇಕೆಂದಿದೆ. ಇದು 1961ನೇ ಇಸವಿಯಲ್ಲಿ ಪಾಸ್ ಆದದ್ದು. ಈಗ 4 ವರ್ಷವಾದಮೇಲೆ ಇದನ್ನು 2 ಸಾವಿರ ರೂಪಾಯಿಗೆ ಇಳಿಸುವುದು ಧರ್ಮವೇ ? ಈಗಿನ ಕಾಲದಲ್ಲಿ 10 ಸಾವಿರ ರೂಪಾಯಿ ತೆಗೆದುಕೊಂಡರೇ ಏನೂ ಅನುಕೂಲವಾಗುವುದಿಲ್ಲ. ಅಂಥಾದ್ದರಲ್ಲಿ 2 ಸಾವಿರ ರೂಪಾಯಿ ತೆಗೆದುಕೊಳ್ಳಿ ಅನ್ನುವುದು ತುಂಬಾ ಅನ್ಯಾಯ. ಆದ್ದರಿಂದ, ಪೇರೆಂಟ್ ಆಕ್ಟಿನಲ್ಲಿ ಯಾವ ರೀತಿ ಮಾಡಿದೆಯೋ, ಎಷ್ಟು ಹಣ ಕೊಡಬೇಕೆಂದು ನಿರ್ಧರಿಸಿದೆಯೋ, ಅದನ್ನೇ ಇಡಬೇಕು. ಈ ಅಮೆಂಡ್‌ಮೆಂಟನ್ನು ಡಿಲೀಟ್ ಮಾಡಬೇಕು.

Mr. SPEAKER.—The question is :

"That sub-clause (2) and (3) shall be deleted".

The amendment was negatived.

Mr. SPEAKER.—The question is :

"That clause 20 stand part of the Bill".

The motion was adopted

Clause 20 was added to the Bill.

ಕರ್ನಾಟಕ ವಿಧಾನಮಂಡಲ ಗ್ರಂಥಾಲಯ
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ಬೆಂಗಳೂರು. Bangalore.
ದಿನಾಂಕ Date.....
ಕ್ರಮಾಂಕ No.....
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CLAUSES 21 TO 29.

Mr. SPEAKER.—The question is :

"That clauses 21 to 29, both inclusive, stand part of the Bill".

The motion was adopted.

The clauses 21 to 29 were added to the Bill.

CLAUSE 30.

Sri M. V. KRISHNAPPA.—I beg to move :

'That sub-clause (2) :—In the new sub-section (6A), after the words "transferred any land", the words "otherwise than by partition, or by sale to the tenant of such land in conformity with any law in force at the time" shall be inserted.'

Mr. SPEAKER.—Amendment moved :

'That sub-clause (2)—In the new sub-section (6A) after the words "transferred any land", the words "otherwise than by partition, or by sale to the tenant of such land in conformity with any law in force at the time" shall be inserted'.

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಸ್ಯಾಮಿ, ಈಗ ಇರುವ ರೀತಿಯಲ್ಲಿ, ಟ್ರಾನ್ಸ್‌ಫರ್ಸ್ ಮಾಡಿದ್ದನ್ನು ಡಿಸ್‌ಹಾನರ್ ಮಾಡಬೇಕು ಎಂದು ಹೇಳಿಬಿಟ್ಟು, ಜನರರ್ ಆಗಿದೆ. ಆದರೆ ಮೊನ್ನೆ ದೇವೇಗೌಡರು ಅವಕ್ಕೆಲ್ಲಾ ಅಮೆಂಡ್‌ಮೆಂಟ್ ತಂದಿದ್ದಾರೆ. ಅವರು ಹೇಳಿದಹಾಗೆ, ಅನೇಕ ಸಲ ಬೋನಾಫೆ ೈಡಿ ಟ್ರಾನ್ಸ್‌ಫರ್‌ಗಳಿರುತ್ತವೆ. ಒಂದು ಉದಾಹರಣೆ ಹೇಳಬೇಕಾದರೆ, ಅನೇಕ ಜಮೀನುದಾರರು ಲ್ಯಾಂಡ್ ರಿಫಾರ್ಮಸು ಬಂದಿದೆ, ನಮಗೆ ಜೆನೆಂಟುಗಳಿಂದ ಜಮೀನು ಬರುವುದಿಲ್ಲವೆಂದು ತಿಳಿದು ಕೊಂಡು, ತಮಗೆ ಎಷ್ಟು ಬೇಕೊ ಅಷ್ಟನ್ನು ಭದ್ರವಾಗಿಟ್ಟುಕೊಂಡು, ಬಾಕೀದನ್ನು ಅವರವರ ರೈತರಿಗೆ ಮಾರಿಕೊಂಡಿದ್ದಾರೆ. ಬೊಂಬಾಯಿ ಕರ್ಣಾಟಕದಲ್ಲಿ ಲ್ಯಾಂಡ್ ಕಾನೂನು ಪ್ರಕಾರ, ತಹಸೀಲ್‌ದಾರರ ಪರ್ಮಿಷನ್ ತೆಗೆದುಕೊಂಡು, ಮಾರಿದ್ದಾರೆ ಅವರು ತಮ್ಮ ಜೆನೆಂಟುಗಳಿಗೆ ಕೊಟ್ಟ, ಸೀಲಿಂಗಿಗೆ ಅನುಗುಣವಾಗಿ ತಮಗೆ ಎಷ್ಟುಬೇಕೋ ಅಷ್ಟು ಇಟ್ಟುಕೊಂಡು, 12 ವರ್ಷದಿಂದ ಅಭಿವೃದ್ಧಿಪಡಿಸಿಕೊಂಡು ಬಂದಿದ್ದಾರೆ. ಜೆನೆಂಟುಗಳಿಗೆ ಕೊಟ್ಟು ತಮ್ಮ ಹತ್ತಿರ ಇರುವ ಜಮೀನನ್ನು ಜಮೀನುದಾರರು ಅಭಿವೃದ್ಧಿಪಡಿಸಿಕೊಂಡರೆ, ಅದನ್ನ ಕಿತ್ತುಕೊಳ್ಳಬಾರದು ಅನ್ನುವುದು ನೀತಿ. ಅದನ್ನು ಮಾನ್ಯ ದೇವೇಗೌಡರು ಆವಾಗಲೇ ಹೇಳಿದ್ದಾರೆ. ಮುಂದಿನ ಕ್ಲಾಸಿನಲ್ಲಿ ನಮ್ಮ ಮಾನ್ಯ ಸಭೆ ಬೋನಾಫೈಡಿ ಕೇಸಿನಲ್ಲಿ ಕೊಟ್ಟಿರುವುದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬೇಕು.

Mr. SPEAKER.—The question is :

'That in sub-clause (2) in the new sub-section (6A), after the words "transferred any land", the words "otherwise than by partition or by sale to the tenant of such land in conformity with any law in force at the time', shall be inserted.'

The amendment was adopted.

Mr. SPEAKER.—The question is :

"That clause 30 as amended stand part of the Bill."

The motion was adopted.

Clause 30, as amended, was added to the Bill.

Mr. SPEAKER.—The question is :

"That clauses 31 to 33, both inclusive, stand part of the Bill"

The motion was adopted.

Clauses 31 to 33, both inclusive, were added to the Bill.

CLAUSE 34.

Sri M. V. KRISHNAPPA.—I beg to move :

" That for sub-clause (ii) the following sub-clause shall be substituted, namely :—

"(ii) in clause (iii), for the words 'the area cultivated with such crop not exceeding one ceiling area', the words 'the area cultivated with such crop by such person' shall be substituted."

Mr. SPEAKER.—Amendment moved :

" That for sub-clause (ii) the following sub-clause shall be substituted, namely :—

" (ii) In clause (iii), for the words 'the area cultivated with such crop not exceeding one ceiling area', the words 'the area cultivated with such crop by such person' shall be substituted"

Sri M. V. KRISHNAPPA.—It is a verbal correction.

Mr. SPEAKER.—The question is :

" That for sub-clause (ii) the following sub-clause shall be substituted, namely :—

" (ii) in clause (iii), for the words 'the area cultivated with such crop not exceeding one ceiling area', the words 'the area cultivated with such crop by such person' shall be substituted."

The amendment was adopted.

Mr. SPEAKER.—The question is :

"That clause 34, as amended, stand part of the Bill."

The motion was adopted.

Clause 34, as amended, was added to the Bill.

CLAUSE 35.

Sri M. V. KRISHNAPPA.—I am giving notice of an amendment which is being typed and so this clause may be taken up later on.

Mr. SPEAKER.—I will hold over clause 35. The question is :

"That clauses 36 to 39, both inclusive, stand part of the Bill."

The motion was adopted.

Clauses 36 to 39, both inclusive, were added to the Bill.

CLAUSE 40.

Sri V. S. PATIL.—I beg to move :

"That in the proposed sub-clause (2A), the words 'which he knows or has reason to believe to be false' shall be deleted."

Mr. SPEAKER.—Amendment moved :

"That in the proposed sub-clause (2A), the words 'which he knows or has reason to believe to be false' shall be deleted."

Sri H. R. KESHAVA MURTHY.—I do not wish to move my amendment.

Sri M. V. KRISHNAPPA.—I do not accept the amendment.

Sri V. S. PATIL.—I press the amendment.

Mr. SPEAKER.—The question is :

"That in the proposed sub-clause (2A), the words 'which he knows or has reason to believe to be false' shall be deleted."

The amendment was negatived.

Mr. SPEAKER.—The question is :

"That clauses 40 to 42, both inclusive, stand part of the Bill."

The motion was adopt d.

Mr. SPEAKER.—Clauses 40 to 42, both inclusive, were added to he Bill.

Mr. SPEAKER.—Clause 43. Sri G. V. Gowda's amendment. The Member is not present.

Sri M. V. KRISHNAPPA.—We are not moving to present amendment. But I am going to give another amendment and it will take two or three minutes for being typed. It is only a consequential amendment.

Sri SANJEEVANATH AIKALA.—Already for moving the amendment to clause 35, the Hon'ble Minister wanted some time and the House granted it. Again when we have come to clause 43, he wants some time. This sort of delay has resulted in wasting of nearly 15 minutes precious time of this House.

Mr. SPEAKER.—Please refer to rule relating to amendments.

CLAUSE 35.

11 A.M.

Sri M. V. KRISHNAPPA.—I am sorry for the delay. I will move my amendent to clause 35. Sir, I beg to move :

'(1) That in sub-clause (1) for the words "Government or Government managed or controlled lands" the words "certain lands" shall be substituted.'

(SRI M. V. KRISHNAPPA)

'(2) for sub-clause (2), the following sub-clause shall be substituted, namely :—

'(2) (*a*) for the words "from Government", the words "from the Government or lands belonging to or held on lease from religious or charitable institutions managed by or under the control of the State Government, or lands belonging to or held on lease from, a public trust or a society established for public educational purpose created or formed before the 18th November 1961 and is in existence on the date of commencement of the Mysore Land Reforms (Amendment) Act, 1965" shall be substituted ;'

'(*b*) the following explanation shall be added at the end, namely :—

Explanation : (a) "Public Trust" means an express or constructive trust for public educational purpose and

(*c*) "society" means a society established for a public educational purpose and which is registered or deemed to be registered under the Mysore Societies Registration Act, 1960".'

MR. SPEAKER.—Amendment moved :

'(1) That in sub-clause (1) for the words "Government or Government managed or controlled lands" the words "certain lands" shall be substituted '

'(2) for sub-clause (2), the following sub-clause shall be substituted, namely :—

'(2) (*a*) for the words "from Government", the words "from the Government or lands belonging or held on lease from religious or charitable institutions managed by or under the control of the State Government, or lands belonging to or held on lease from, a public trust or a society established for public educational purpose created or formed before the 18th November 1961 and is in existence on the date of commencement of the Mysore Land Reforms (Amendment) Act, 1965" shall be substituted;'

'(*b*) the following explanation shall be added at the end, namely :—

Explanation : (a) "Public Trust" means an express or constructive trust for public educational purpose and

(*c*) "Society" means a society established for a public educational purpose and which is registered or deemed to be registered under the Mysore Societies Registration Act, 1960".'

MR. SPEAKER.—There are two more amendments. Sri Siddiah-Kashimath may move his amendment.

SRI SIDDIAH KASHIMATH.—Sir, I do not want to move my amendment.

Mr. SPEAKER.—Then, there is amendment No. 9, of Sri Patil. He may move his amendment to clause 35. I suppose, it is purely verbal.

Sri V. S. PATIL.—It has some significance, Sir.

Mr. SPEAKER.—He may move his amendment.

†Sri V. S. PATIL.—Sir, I beg to move :

"That in clause 35 in item (2) between the words 'institutions' and 'managed' the word 'or' shall be inserted.

Mr. SPEAKER.—Amendment moved :

"That in clause 35 in item (2) between the words 'Institutions' and 'managed' the word 'or' shall be inserted."

Before the Hon'ble Minister begins to reply to the amendment, I take it that amendment No. 24 by the Government is not moved.

Sri M. V. KRISHNAPPA.—I am not moving that amendment, Sir.

Sri V. S. PATIL.—Sir, the amendment is that for the words "from Government", the words "from the Government or lands belonging to or held on lease from religious or charitable institutions managed by or under the control of the State Government" shall be substituted : This shows that this clause is made applicable only to those charitable or religious institutions which are under the control or management of the Government. What about the other institutions ? If it is managed by the Government, then these exemptions are applicable to them. But if they are not managed by the Government, and they are managed by private institutions or bodies or public trusts, etc., then they will stand on a different footing. That is why I have tried to introduce this word OR between the word managed by so that all these institutions get some benefit and they will stand on the same footing as institutions managed by the Government. That is why I have introduced this word OR. Sir, I feel that in order to have uniformity in these matters, and have a uniform law applicable to such institutions Government should accept this amendment.

†ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಈ ದೇವಸ್ಥಾನಗಳ ಭೂಮಿಯ ವಿಷಯವಾಗಿ ನಾನು ಹಿಂದೆ ಲ್ಯಾಂಡ್ ರಿಫಾರಂಸ್ ಮಸೂದೆಯನ್ನು ಪಾಸ್‌ಮಾಡಿಸಲು ಇಲ್ಲಿ ತಂದಿದ್ದಾಗ ಇದರ ವಿಚಾರವನ್ನೆಲ್ಲಾ ಸಂಪೂರ್ಣವಾಗಿ ಎಕ್ಸ್‌ಪ್ಲೈನ್ ಮಾಡಿದ್ದೇನೆ. ಈಗ ಇರತಕ್ಕ ರೀತಿಯಲ್ಲೇ ಇದನ್ನು ಪಾಸ್‌ಮಾಡಿದರೆ —ಈಗ ಯಾರು ಯಾರು ದೇವಸ್ಥಾನದ ಭೂಮಿಯನ್ನು ಮಾಡುತ್ತಿದ್ದಾರೋ ಮುಂದೆ ಅವರವರೇ ಆ ಭೂಮಿಯ ಮಾಲೀಕರುಗಳಾಗಿ ಬಿಡುತ್ತಾರೆ. ಆಗ ಈ ದೇಸ್ಥಾನಗಳ ಭೂಮಾಲೀಕರಾಗತಕ್ಕ ವರಿಗೂ, ಇತರ ಭೂಮಿಗಳ ಬಗ್ಗೆ ಮಾಲೀಕರಾಗತಕ್ಕವರಿಗೂ ಏನು ವ್ಯತ್ಯಾಸವಿರುತ್ತದೆ ಎಂಬುದನ್ನು ನಾನಾಗಲೇ ಹೇಳಿದ್ದೇನೆ. ಈ ಜಮೀನುಗಳನ್ನು ಕೆಲವರು ಆ ಉತ್ಪತ್ತಿಯಲ್ಲಿ ಐದನೇ ಒಂದು ಭಾಗವನ್ನೋ ಅಥವಾ ಅರನೇ ಒಂದು ಭಾಗವನ್ನೋ ಕೊಟ್ಟುಕೊಂಡು ಬಂದಿದ್ದಾರೆ; ಅಂಥವರೇ ಮುಂದೆ ಮಾಲೀಕರುಗಳಾಗುತ್ತಾರೆ. ಇನ್ನು ಕೆಲವು ಕಡೆ ದೇವಸ್ಥಾನದ ಜಮೀನು ಗಳನ್ನು ಏಕ್‌ಸಾಲ್ ಮತ್ತು ಪಾಂಚ್‌ಸಾಲ್ ಗುತ್ತಿಗೆಗೆ ಪಡೆದು ಒಬ್ಬರೇ ಜಮೀನನ್ನು ಪಡೆಯು ತ್ತಿದ್ದಾಗ್ಗೂ ದಾಖಲೆಯಲ್ಲಿ ಮಾತ್ರ ಬೇರೆ ಬೇರೆ ಹೆಸರುಗಳನ್ನು ತೋರಿಸಿದ್ದು ಈ ದಿವಸ ಅಂಥವರೇ ಈ ಆಸ್ತಿಗಳಿಗೆಲ್ಲಾ ಮಾಲೀಕರುಗಳಾಗುತ್ತಾರೆ. ಹಿಂದೆ ಶ್ರೀ ಮುನಿಚಿನ್ನಪ್ಪನವರು ದೇವಸ್ಥಾನದ ಜಮೀನುಗಳ ವಿಚಾರದಲ್ಲಿ ಬಹಳ ಚೆನ್ನಾಗಿ ಹೇಳಿದ್ದಾರೆ. ಕಣ್ಣೀರು ಬರುವಂಥ ಸ್ಥಿತಿಯಲ್ಲಿ ಅವರು ಆ ವಿಚಾರಗಳೆನ್ನೆಲ್ಲಾ ಸಭೆಯಲ್ಲಿ ವಿವರಿಸಿದ್ದಾರೆ. ಅವರು ಹೇಳಿದಂಥ ಜಮೀನು ಬೆಂಗಳೂರು

(ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ)

ಸಿಟಿಗೆ ಸಮೀಪದಲ್ಲೇ ಇದೆ. ಅದು ಟ್ರಾನ್ಸ್‌ಬೋರ್ಡ್ ಜಮೀನಿಗೆ ಪಕ್ಕದಲ್ಲೇ ಇದೆ. ಅದು ಸುಮಾರು 140 ಎಕರೆಗಳಿರುತ್ತೆ. ಏನಿಲ್ಲಾ ಅಂದರೂ ಅದರ ಬೆಲೆ ಈ ದಿನ 40-50 ಲಕ್ಷ ರೂಪಾಯಿಗಳಾಗುತ್ತದೆ. ನಾವು ಈ ದಿವಸ ಇದು ಇರುವಂತೆಯೇ ಅಂಗೀಕಾರ ಮಾಡಿದಲ್ಲಿ ನಾಳೆಯದಿನ ಆ ಜಮೀನೆಲ್ಲಾ ಅವರ ಪಾಲಾಗಿಹೋಗುತ್ತದೆ. ಆ ಒಬ್ಬ ವ್ಯಕ್ತಿ ಹಿಂದೆ ಈ ಶ್ರೀ ಮುನಿಚಿನ್ನಪ್ಪನವರ ಕಡೆಯ ಜನರು ಯಾರ್ಯಾರಿದ್ದರೊ ಅವರನ್ನೆಲ್ಲಾ ಓಡಿಸಿ ತಾನೊಬ್ಬನೇ ಅದನ್ನು ಅನುಭವಿಸುತ್ತಿದ್ದಾನೆ. ದೇವಸ್ಥಾನಕ್ಕೆ ಅವನು ವರ್ಷಕ್ಕೆಲ್ಲಾ ಕೊಡುತ್ತಿರುವುದು ಆ 140 ಎಕರೆಗಳಿಂದಲೂ 500 ರೂಪಾಯಿಗಳು ಮಾತ್ರ. ಈ ದಿವಸ ಆ ಭೂಮಿಯನ್ನು ಹರಾಜ್‌ಹಾಕಿ ಅದರಿಂದ ಬರತಕ್ಕ 50 ಲಕ್ಷ ರೂಪಾಯಿಗಳ ಒಂದು ಫಂಡನ್ನು ಮಾಡಿದರೆ ಅದರಿಂದ ಒಂದು ಕಾಲೇಜನ್ನೇ ನಡೆಸಬಹುದು. ಆ ಜಮೀನಿನ ಹತ್ತಿರ ಅಂಥದೇ ಇನ್ನೂ 2-3 ಆಸ್ತಿಗಳು ದೇವಸ್ಥಾನದವು ಇರುತ್ತವೆ. ಇಂಥ ನಿದರ್ಶನಗಳು ದೇಶದಲ್ಲನ್ನೂ ಅನೇಕ ಇವೆ. ಆದರೆ ದೇವಸ್ಥಾನಗಳ ಭೂಮಿಯನ್ನು ಉಳುಮೆ ಮಾಡತಕ್ಕ ಬಡಜನರೂ ಇದ್ದಾರೆ. ಆದರೆ ಈ ದಿವಸ ಆ ಬಡವರ ಹೆಸರಿನಲ್ಲಿ ದೊಡ್ಡವರು ಭೂಮಿಯನ್ನು ಕಬಳಿಸುವುದಕ್ಕೆ ಹೊಂಚುಹಾಕುತ್ತಿದ್ದಾರೆ. ಇದನ್ನು ನಾವು ತಡೆಗಟ್ಟದಿದ್ದರೆ ಹಾವನ್ನು ಹೊಡೆದು ಹದ್ದಿಗೆ ಹಾಕಿದಂತಾಗುವುದು. ಆ ದೊಡ್ಡ ದೊಡ್ಡ ದೇವಸ್ಥಾನದ ಆಸ್ತಿಗಳು ನಾಳೆ ಬಡ ದ್ವೈತನಿಗೂ ಸಿಕ್ಕುವುದಿಲ್ಲ. ಇತ್ತ ಸರ್ಕಾರಕ್ಕೂ ಅದು ಸಿಕ್ಕದೆ ಧಡೂತಿ ಜನರ ಕೈಸೇರುತ್ತದೆ. ಆದುದರಿಂದ ಇಂಥ ಜಮೀನುಗಳನ್ನು ಸರ್ಕಾರ ಪಡೆಯುವುದಕ್ಕೆ ಒಂದು ಅಧಿಕಾರವನ್ನು ಕೇಳುತ್ತಿದ್ದೇವೆ. ಇನ್ನು ಕೆಲವರು ವಿದ್ಯಾಭ್ಯಾಸದ ವಿಚಾರದಲ್ಲಿ ಒಂದೊಂದು ಟ್ರಸ್ಟನ್ನೇ ಕ್ರಿಯೇಟ್ ಮಾಡಿದ್ದಾರೆ. ಅಂಥ ಟ್ರಸ್ಟುಗಳಲ್ಲಿ ನಾವೆಲ್ಲರೂ ಸಹಾ ಓಡಿಕೊಂಡು ಬಂದಿದ್ದೇವೆ. ಅಂಥ ಎಜುಕೇಷನಲ್ ಟ್ರಸ್ಟುಗಳ ಜಮೀನಿಗೆ ಒಂದು ನಾವು ರಕ್ಷಣೆಯನ್ನು ಕೊಡಬೇಕಾಗಿದೆ. ಆದರೆ ಇಂಥ ಟ್ರಸ್ಟು ಭೂಮಿ 3-4 ಸಾವಿರ ಎಕರೆ ಇದ್ದರೆ ಹೆಚ್ಚಾಯಿತು. ಈಗ ಈ ಮಾನ್ಯ ಸಭೆಗೆ ನಾನು ಒಂದು ಭರವಸೆಕೊಡುತ್ತೇನೆ: ಈ ರೀತಿ ಮಾಡುವುದರಿಂದ ದೇವಸ್ಥಾನದ ಜಮೀನುಗಳಿಗೂ ಮತ್ತು ಟ್ರಸ್ಟ್ ಜಮೀನುಗಳಿಗೂ ಯಾವ ತೊಂದರೆಯೂ ಬರುವುದಿಲ್ಲ, ಹಾಗೆ ಬೇಕು ಎಂದರೆ ಇವುಗಳಿಗೇ ಪ್ರತ್ಯೇಕವಾಗಿ ಒಂದು ಆಕ್ಟ್‌ನ್ನು ಮಾಡುವುದಕ್ಕೂ ಸರ್ಕಾರ ಪರಿಶೀಲನೆ ಮಾಡುವುದು. ಆದರೆ ಬಡವರ ಹೆಸರಿನಲ್ಲಿ ದಿಮ್ಮಿಲೇ ರಂಗ ಅಂತ ಹೇಳಿ ಧಡೂತಿ ಜನರು ಈ ಭೂಮಿಯನ್ನು ನುಂಗುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಬಾರದು ಅಂತೆ ಹೇಳಿ ನಾನು ಶ್ರೀ ಎ. ಎಸ್. ಪಾಟೀಲರು ತಂದಿರತಕ್ಕ ತಿದ್ದುಪಡಿಯನ್ನು ವಿರೋಧಿಸುತ್ತೇನೆ. ಅವರು ಅದನ್ನು ದಯವಿಟ್ಟು ಹಿಂದಕ್ಕೆ ತೆಗೆದು ಕೊಳ್ಳಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

†ಶ್ರೀ ಎಸ್. ಗೋಪಾಲಗೌಡ.—ಮಾನ್ಯ ಸಚಿವರು 107 ನೇ ಸೆಕ್ಷನ್ನಿಗೆ ತಂದಿರತಕ್ಕ 35ನೇ ತಿದ್ದುಪಡಿಯನ್ನು ನೋಡಿದರೆ ಇದು ತಿದ್ದುಪಡಿಗೊಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದಿರುವಂತೆ ಆಗಿದೆ. ಅವರು ಕೆಲವರನ್ನು ತಮ್ಮ ಗಮನದಲ್ಲಿಟ್ಟುಕೊಂಡು ಈ ಒಂದು ವಿನಾಯಿತಿಯನ್ನು ಇದರಲ್ಲಿ ನಿರೂಪಣೆಮಾಡಬೇಕೆಂದು ಮಾಡಿದ್ದಾರೆ. ಬಹುಶ: ಇದೇ ರೀತಿ ಇದನ್ನು ಈಗಾಗಲೇ ಅವರು ತೀರ್ಮಾನಮಾಡಿರುವ ಹಾಗೆ ಕಾಣುತ್ತಿದೆ. ಅವರು ಹೇಳಿರತಕ್ಕ ಮಾತುಗಳಲ್ಲಿ ಬಡವಂತಾದವರಿಗೆ ಹಾಗೇ ಖಾತೆಯನ್ನು ಹಾಕಿಸಿಕೊಡುತ್ತೇವೆ, ಅವರಿಗೆಲ್ಲಾ ರಕ್ಷಣೆಯನ್ನೂ ಕೊಡುತ್ತೇವೆ, ಆದರೆ ಕೆಲವರಿಗೆ ಈ ದೇವಸ್ಥಾನಗಳ ಆಸ್ತಿ ಬಹಳ ದೊಡ್ಡದಾಗಿರತಕ್ಕ ಆಸ್ತಿಗಳು ಅವರಿಗೆ ದಕ್ಕತಕ್ಕಂಥಸ್ಥಿತಿಗಳಿರುತ್ತವೆ, ಅದನ್ನು ತಡೆಗಟ್ಟುವುದಕ್ಕಾಗಿ ನಾವೀಗ ಇದನ್ನು ತಿದ್ದುಪಡಿಮಾಡಬೇಕಾಗಿದೆ ಅಂತ ಹೇಳಿದರು. ಆದರೆ ನಾವು ಈ ಹಿಂದೆ ಇಂಥ ದೇವಸ್ಥಾನಗಳು ಎಷ್ಟಿವೆ, ವಿದ್ಯಾ ಸಂಸ್ಥೆಗಳೆಷ್ಟಿವೆ, ಅವುಗಳಿಗಿರತಕ್ಕ ಆಸ್ತಿಗಳೇನು ಎಂಬ ವಿವರಗಳನ್ನು ಒದಗಿಸಬೇಕೆಂದು ಕೇಳಿದ್ದೆವು. ಆದರೆ ಆ ಯಾವ ಮಾಹಿತಿಗಳನ್ನೂ ನಮಗೆ ಇಲ್ಲಿಯವರೆಗೂ ಸರ್ಕಾರದವರು ಒದಗಿಸಲಿಲ್ಲ. ಹಿಂದೆ ಈ ಮೂಲ ಮಸೂದೆ ಚರ್ಚೆಯಲ್ಲಿ ಈ ವಿಚಾರ ಚರ್ಚೆಯಾಗಿದ್ದು ಒಂದು ತೀರ್ಮಾನಕ್ಕೆ ಬಂದನಂತರ ಇದನ್ನು ಈಗ ತಿದ್ದುಪಡಿ ಮಾಡತಕ್ಕಂಥ ಬಲವತ್ತರವಾದಂಥ ಕಾರಣವೇನಿತ್ತು ಎಂಬುದು ಗೊತ್ತಾಗುತ್ತಿಲ್ಲ. ನಾನು ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ಈ ವಿಚಾರವನ್ನು ಹೇಳಿದ್ದೆನು ಇಂಥ ಜಮೀನುಗಳ ಮಾಲೀಕ ಆತನು ಯಾರೇ ಆಗಿರಲಿ ಸರ್ಕಾರವೇ ಆಗಿರಲೀ, ಒಂದು ಸಂಸ್ಥೆಯೇ ಆಗಿರಲೀ ಅಥವಾ ಒಂದು ಮಠವೇ ಆಗಿರಲೀ ಅಲ್ಲರತಕ್ಕ ಜಮೀನನ್ನು ಅನೇಕವರ್ಷಗಳಿಂದ ಗೇಣಿಗೆ ಪಡೆದು ಅಲ್ಲಿ ಯಾರು ವ್ಯವಸಾಯ ಮಾಡುತ್ತಿದ್ದಾನೋ ಆತನೇ ಆ ಭೂಮಿಗೆ ಮಾಲೀಕನಾಗಬೇಕು ಎಂಬುದನ್ನು ನಾವು ಹೇಳುತ್ತಲೇ ಬಂದಿದ್ದೇವೆ.

ಈ ಮೂಲ ಉದ್ದೇಶವನ್ನು ವಿಫಲಗೊಳಿಸತಕ್ಕ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ನಾನು ಪ್ರಬಲವಾಗಿ ವಿರೋಧಿಸುತ್ತೇನೆ, ಸ್ವಾಮಿ. ಪೇರಾಗಿ ಮಾನ್ಯ ಸಚಿವರು ಭರವಸೆ ಕೊಡುತ್ತೇನೆ ಅಂತ ಹೇಳಿ

ಒಂದು ಮಾತನ್ನು ಹೇಳಿದರು ಅಂಥ ಎಷ್ಟೋ ಭರವಸೆಗಳನ್ನು ಕೇಳಿ ಕೇಳಿ ನಮ್ಮ ಕಿವಿಗಳು ಕಿವುಡು ಆಗಿ ಹೋಗಿವೆ. ಈ ಮಸೂದೆ ಜೊತೆಗೆ 'ಬೇಕಾದರೆ' ಎಂದು ಹೇಳುತ್ತಾರೆ. 'ಬೇಕಾದರೆ' ಅನ್ನುವ ಪ್ರಶ್ನೆಯೇ ಇಲ್ಲ. ದೇವಸ್ಥಾನಗಳ ಜಮೀನಾಗಲಿ ಅಥವಾ ಬೇರೆ ಜಮೀನಾಗಲಿ ಈ ವಿನಾಯಿತಿ ವಿಧಿಯ ಮೂಲಕ ಎಲ್ಲ ರೈತರಿಗೂ ಪಟ್ಟ ಸಿಕ್ಕದೇ ಹೋಗುತ್ತದೆ. ಆದರಿಂದ ಮಾನ್ಯ ಕಂದಾಯ ಸಚಿವರು ಮಾನ್ಯ ಕೃಷ್ಣಪ್ಪನವರಲ್ಲಿ ಕೇಳಿಕೊಳ್ಳುವುದು ಏನೆಂದರೆ ಇದು ಜಾರಿಗೆ ಬರುವುದರ ಜೊತೆಯಲ್ಲೇ ಆ ಕಾನೂನನ್ನೂ ತಂದು, ರೈತರಿಗೆ ಸಂಭವಿಸಬಹುದಾದ ಅಪಾಯವನ್ನು ತಡೆಗಟ್ಟಬೇಕೆಂದು ಈ ಸಂದರ್ಭದಲ್ಲಿ ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

† ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಸ್ವಾಮಿ, ಮಾನ್ಯ ಸಚಿವರು ಈ ಅಮೆಂಡ್‌ಮೆಂಟನ್ನು ತರುತ್ತೇವೆ ಎಂದು ಹೇಳಿದಾಗ ಈ ಸಭೆಗೆ ಕತ್ತರೆ ಆಯಿತು. ಏಕೆಂದರೆ ಭೂ ಸುಧಾರಣೆಗೆ ಇದು ಕತ್ತರೆಯ ಮನೆಯಲ್ಲಿ ಒಂದು ಸೂಚನೆ ಬಂದ ಹಾಗೆ ಬಂದಿದೆ. ಭೂಮಿಯನ್ನು ಉಳತಕ್ಕವನ ಹಿತವನ್ನು ರಕ್ಷಣೆ ಮಾಡಬೇಕೆಂಬುದೇ ಈ ಭೂಸುಧಾರಣಾ ಮಸೂದೆಯ ಮೂಲ ಉದ್ದೇಶ. ಈ ಮೂಲ ಉದ್ದೇಶವನ್ನೇ ಮೂಲೆಗೆ ಒತ್ತಿ ಧರ್ಮ ಸಂಸ್ಥೆಗಳಿಗೆ ಒಂದು ಕಾನೂನು, ಮತ್ತು ಬೇರೆ ಬೇರೆ ಗೇಣಿದಾರರಿಗೇ ಒಂದು ಕಾನೂನು ಅಂತ ತರುವುದು ಈ ತಾರತಮ್ಯ ಸರಿಯಲ್ಲ. ಬೆಂಗಳೂರು ಪೇಟೆಯಲ್ಲಿ ದೇವಸ್ಥಾನ ಇದೆ, ಜಮೀನು ಇಟ್ಟುಕೊಂಡು ಇದ್ದಾರೆ ಎಂಬುದನ್ನು ದೃಷ್ಟಿಯಲ್ಲಿ ಇಟ್ಟುಕೊಂಡು ದೇವಸ್ಥಾನದ ಜಮೀನು ದೇವಸ್ಥಾನಕ್ಕೇ ಇರಬೇಕೆಂದು ಹೇಳುವುದು ಸರಿಯಲ್ಲ. ಯಾರೂ ಕೂಡ ನೂರಾರು ಎಕರೆಗಳನ್ನು ಇಟ್ಟುಕೊಂಡು ಇರುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ. ಬೇರೆಯವರಿಗೆ ಯಾವ ರೀತಿಯ ಸೀಲಿಂಗ್ ಇರುತ್ತದೆಯೋ ಅವರಿಗೂ ಸೀಲಿಂಗ್ ಲಿಮಿಟ್ ಇರುತ್ತದೆ. ಆದ್ದರಿಂದ ಈ ತಿದ್ದುಪಡಿ ಮೂಲ ಉದ್ದೇಶಕ್ಕೇ ವಿರುದ್ಧವಾಗಿರುವುದರಿಂದ ಇದನ್ನು ವಿರೋಧಿಸುತ್ತೇನೆ.

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಮಾನ್ಯ ಎಸ್. ಶಿವಪ್ಪನವರಲ್ಲಿ ಪ್ರಾರ್ಥನೆ ಇಷ್ಟೆ. ರ್ಯಾಂಡ್ ರಿಫಾರಂಸ್ ಅಕ್ಟ್ ತರುತ್ತಾ ಇರುವುದರ ಮೂಲ ಉದ್ದೇಶ ಗೇಣಿ ರೈತ, ಕಷ್ಟಪಟ್ಟು ಬೆವರು ಸುರಿಸಿ ಸಾಗುವಳಿ ಮಾಡುವ ರೈತನಿಗೆ ಆ ಭೂಮಿ ಸಿಕ್ಕಿ ಅವನೇ ಸ್ವಂತವಾಗಿ ಸಾಗುವಳಿ ಮಾಡಬೇಕೆಂಬುದೇ ನಮ್ಮ ಉದ್ದೇಶ ಮತ್ತು ತಮ್ಮ ಉದ್ದೇಶವೂ ಕೂಡ ಅದೇ ಆಗಿದೆ. ಆದರೆ ಇದರ ಹೆಸರಿನಲ್ಲಿ ಕೆಲವರು ದುಂಡಾವರ್ತಿ ಆಸಾಮಿಗಳು ಇದನ್ನು ಉಪಯೋಗಿಸಿಕೊಂಡು ಅಲ್ಲಿ ಇಷ್ಟು ಇಲ್ಲಿ ಇಷ್ಟು ಮ್ಯಾನಿಪುಲೇಟ್ ಮಾಡಿಕೊಂಡು ನೂರಾರು ಎಕರೆ ಜಮೀನು ಇಟ್ಟುಕೊಂಡು ಇದ್ದಾರೆ, ಬಹಳ ವ್ಯಾಲ್ಯೂಯಬಲ್ ಪ್ರಾಪರ್ಟಿ, ದೇವಸ್ಥಾನಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಕಾನೂನಿನ ಆಶ್ರಯದಲ್ಲಿ ಲಪಟಾಯಿಸಿಕೊಳ್ಳಬೇಕೆಂದು ಅನೇಕರು ಇದ್ದಾರೆ. ಅದಕ್ಕೆ ಏನು ಮಾಡಬೇಕೆಂಬುದನ್ನು ಬೇರೆ ಯೋಚನೆ ಮಾಡುತ್ತಾ ಇದ್ದೇವೆ. ಬಡವರಿಗೆ ಅನ್ಯಾಯವಾಗದ ಹಾಗೆ, ಯಾರು ದೇವಸ್ಥಾನದ ಭೂಮಿ ಮಾಡುತ್ತಾ ಇದ್ದಾರೆ ಅವರಿಗೆ ತೊಂದರೆ ಇಲ್ಲದ ಹಾಗೆ ಮಾಡುತ್ತೇವೆ, ಇದರಲ್ಲಿ ಒಕ್ಕಲು ಎಬ್ಬಿಸುವ ಪ್ರಶ್ನೆಯೇ ಬರುವುದಿಲ್ಲ. ಅದು ದೇವಸ್ಥಾನದ ವಶದಲ್ಲೇ ಇರುವುದರಿಂದ ಅದಕ್ಕೆ ಭೂಸ್ವಾಮಿಗಳು ಯಾರು ಇರುವುದಿಲ್ಲ ಸರ್ಕಾರದವರ ವಶದಲ್ಲೇ ಇರುತ್ತದೆ. ಆದ್ದರಿಂದ ಅಧಿಕಾರ ಕೊಟ್ಟು ಬಿಟ್ಟರೆ ಬಡವರನ್ನು ಒಕ್ಕಲು ಎಬ್ಬಿಸುತ್ತಾರೆ ಎಂಬ ಭಯ ತಮಗೆ ಇರಬೇಕಾಗಿಲ್ಲ. ಒಕ್ಕಲು ಎಬ್ಬಿಸದ ಹಾಗೆ ಮಾಡುವುದು ಸರ್ಕಾರದವರ ಕೈಯಲ್ಲೇ ಇರುವುದರಿಂದ ಅದಕ್ಕೆ ಯಾವ ಕಾನೂನು ಮಾಡುವುದು ಅವಶ್ಯಕವೋ ಅದನ್ನು ಮಾಡುವುದಕ್ಕೆ ನಾನು ಸಿದ್ಧವಾಗಿದ್ದೇನೆ. ಆದ್ದರಿಂದ ಮಾನ್ಯ ಸದಸ್ಯರು ವಿರೋಧ ಮಾಡದೇ ಇದನ್ನು ಒಪ್ಪಬೇಕೆಂದು ಪ್ರಾರ್ಥನೆ ಮಾಡುತ್ತೇನೆ.

Mr. SPEAKER.—I put Sri V. S. Patil's amendment to the vote of the House.

The question is :

"That in item (2) between the words institutions' and 'managed'the word 'or' shall be inserted."

The amendment was negatived.

Mr. SPEAKER.—I will now put the Minister's amendment to the vote of the House.

The question is :

'That in sub-clause (1) for the words "Government or Gevernment managed or controlled lands" the words "certain

(MR. SPEAKER)

lands'' shall be substituted ;'

'(2) for sub-clause (2) the following sub-clause shall be substituted, namely:—

'That (2) (a) for the words ''from Government'', the words ''from the Government or lands belonging to or held on lease from religious or charitable institutions managed by or under the control of the State Government, or lands belonging to or held on lease from, a public trust or a society established for public educational purpose created or formed before the 18th November 1961 and is in existence on the date of commencement of the Mysore Land Reforms (Amendment) Act, 1965'' shall be substituted ;'

'(*b*) the following explanation shall be added at the end, namely :—

Explanation: (a) ''Public Trust'' means an express or constructive trust for public educational purpose and

(b) ''society'' means a society established for a public educational purpose and which is registered or deemed to be registered under the Mysore Societies Registration Act, 1960''.'

The amendment was adopted.

MR. SPEAKER.—The question is :

''That clause 35, as amended, stand part of the Bill.''

The motion was adopted.

Clause 35, as amended, was added to the Bill.

MR. SPEAKER.—What is the position about amendment to clause 43 ?

SRI V. S. PATIL.—I do not propose to press for it.

MR. SPEAKER.—The question is :

''That clause 43 stand part of the Bill.''

The motion was adopted.

Clause 43 was added to the Bill.

MR. SPEAKER.—There is an amendment to clause 1.

SRI H. R. KESHAVAMURTHY.—I move :

'That in sub-clause (2) for the words ''at once'' the words ''on the day the Mysore Land Reforms Act, 1961 comes into force'' shall be substituted.'

Mr. SPEAKER.—Amendment moved :

'That in sub-clause (2) for the words 'at once' the words ''on the day the Mysore Land Reforms Act, 1961 comes into force'' shall be substituted.'

Sri H. R. KESHAVAMURTHY.—Sir, the amendment is self-explanatory. The Land Reforms Act has not come into force. This amendment may also come into force when the Act comes into force. That is all.

[MR. DEPUTY SPEAKER in the Chair]

ಶ್ರೀ ಎಂ. ವಿ. ಕೃಷ್ಣಪ್ಪ.—ಇದನ್ನು ಒಪ್ಪುವುದಕ್ಕಾಗುವುದಿಲ್ಲ.

Mr. DEPUTY SPEAKER.—I will put the amendment to the vote of the House.

'That in sub-clause (2) for the words ''at once'' the words ''on the day the Mysore Land Reforms Act, 1961 comes into force'' shall be substituted.'

The amendment was negatived.

11-30 A.M.

Mr. DEPUTY SPEAKER.—The question is:—

''That clause 1 stand part of the Bill.''

The motion was adopted.

Clause 1 was added to the Bill.

Mr. DEPUTY SPEAKER.—The question is :

''That the Title and the Preamble stand part of the Bill.''

The motion was adopted

The Title and the Preamble were added to the Bill.

Sri M. V. KRISHNAPPA.—I beg to move :

'' That the Bill, asamended, be passed.''

Mr. DEPUTY SPEAKER.—The question is :

''That the Mysore Land Reforms (Amendment) Bill, 1965, as amended, be passed.''

The motion was adopted.

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OFFICIAL RESOLUTION *Re*: SURVEY AND SETTLEMENT

Mr. DEPUTY SPEAKER.—Now the Official Resolution may be taken up.

Sri S. SIVAPPA.—What is it that we are to discuss ? Is it the Report or the Resolution or the amendment ? We do not know what is the subject for discussion ?